

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

ALLEN R. WILLIAMS,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

No. C 16-4007-MWB
(No. CR 10-4083-MWB)

**OPINION AND ORDER
REGARDING PETITIONER'S
MOTION TO RECONSIDER HIS
MOTION FOR REINSTATEMENT
OF APPEAL RIGHTS**

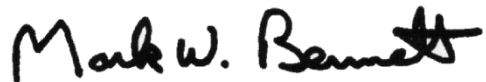
This case is before me on petitioner Allen R. Williams's April 23, 2018, *pro se* Motion To Reconsider, which seeks reconsideration of my April 4, 2018, Opinion And Order Regarding Petitioner's Motion For Reinstatement Of Appeal Rights. Williams takes issue with my statement that I had not found any published appellate decision addressing his situation, that is, where the second *habeas* motion is the motion seeking reinstatement of appeal rights, rather than the motion challenging his conviction. He contends that *Carranza v. United States*, 794 F.3d 237 (2d Cir. 2015), is such a decision.

Williams misses the critical conclusion in my prior decision, which was not that there was no authority supporting his contention, but that the unpublished decision of the Eighth Circuit Court of Appeals on appeal, in this case, addressed his situation and denied him the relief he requests. I reiterate that, where the Eighth Circuit Court of Appeals has already considered and rejected the argument Williams now asserts, I have no authority to revisit or overturn the appellate court's decision.

THEREFORE, petitioner Allen R. Williams's April 23, 2018, *pro se* Motion To Reconsider (docket no. 15) is **denied**, and no certificate of appealability will issue.

IT IS SO ORDERED.

DATED this 25th day of May, 2018.

A handwritten signature in black ink that reads "Mark W. Bennett". The signature is written in a cursive, slightly stylized font.

MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA